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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FELIPE ROMERO, JOSE PANI,	:	
JUSTINO ROMERO, PLACIDO	:	
ROMERO, JUAN JOSE ROMERO,	:	Civil Action No. 07-cv-7222
IRMA JUAREZ, GERMAN ROMERO,	:	
BULMARO ARENAS, ALTAGRACIA	:	
MERCED AND MARIA CORONA, on	:	
behalf of themselves and all others	:	
similarly situated,	:	
	:	
Plaintiffs,	:	
	:	
-vs-	:	CERTIFICATION OF FELIPE ROMERO
	:	
FLAUM APPETIZING CORP., MOSHE	:	
GRUDHUT, and "UNKNOWN FLAUM	:	
MANAGERS 1-5"(Names Being	:	
Fictitious),	:	
	:	
Defendants.	:	
	:	

I, FELIPE ROMERO, certify and say:

1. I am a plaintiff in this matter and have filed an Election of Plaintiff Status form. A true and correct copy is attached as Exhibit A.
2. I was employed by defendant Flaum Appetizing Corporation from 2000 until May of 2008.

3. During my employment I worked as a packer and as an assistant to a driver.
4. I was paid at an hourly rate which varied: in 2000 and 2001, I was paid \$4.00 per hour; from approximately 2001 through 2004, I was paid approximately \$5.50 per hour; from approximately 2004 through 2008, I was paid \$8.00 per hour.
5. From the beginning of my employment in 2000 until in or around August or September of 2007, I worked between 50 to 70 or more hours per week with rare exceptions. I was given time cards with my pay and have enclosed true and correct copies of samples of my time cards as Exhibit B.
6. From the beginning of my employment until in or around 2004, I received all of my pay in cash. From 2004 until August or September of 2007, I received one-half of my pay in cash and the other by check. Thereafter, I received my pay by check.
7. The paychecks I received from my employer did not accurately reflect the number of hours I worked or the hourly rate that I was paid. I have attached true and correct copies of some sample paychecks as Exhibit C.
8. From the time I started working for defendant until in or around August or September of 2007, I typically worked six days per week, Sunday through Friday. During this time I, along with approximately 30 other hourly employees, worked the day shift.
9. From in or around August or September of 2007 until the time my employment ended in May of 2008, I generally worked five days per week. During this time I, along with approximately five other hourly employees, worked the night shift.
10. Throughout the course of my employment I was not paid overtime wages, i.e., time and one-half for hours worked over 40 per week.

11. It was common knowledge that until in or around August or September of 2007, it was company policy not to pay the hourly employees overtime wages, despite the long hours worked.
12. I, along with the other hourly employees, punched a time clock when I arrived and when I left work each day.
13. Until in or around August or September of 2007, my employer did not post a notice stating that the employees had a right to be paid overtime for hours worked over 40 per week.

I certify that the above statements are true and correct to the best of my knowledge.

Dated: August 28, 2008


FELIPE ROMERO